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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 DEPARTMENT OF TOXIC
12 SUBSTANCES CONTROL,

13 Plaintiff,

14 vs.

15 BROWN & BRYANT, INC., et al.,

16 Defendants.
_____ /

CASE NO. CV F 96-5879 LJO DLB

**ORDER TO DISMISS DEFENDANT ED
BROWN**

(Doc. 515.)

17 For the reasons stated in plaintiff's motion to dismiss (doc. 515), this Court:

- 18 1. DISMISSES without prejudice plaintiff's action against defendant Ed Brown; and
19 2. DIRECTS the clerk not to close this action.

20 IT IS SO ORDERED.

21 **Dated: February 29, 2012** _____

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE